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MEMORANDUM OF CONVERSATION

PARTICIPANTS : Col. "Auditor" Carlos H. Cerda, Sub-Secretary  
for Legal and Technical Matters, Office of  
the Presidency  
William H. Hallman, Political Counselor,  
American Embassy, Buenos Aires

DATE AND PLACE: June 1, 1979, Downtown Buenos Aires

SUBJECT : Politics, Human Rights

Current and Future Politics. [

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ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

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Human Rights. Cerda was pleased (and, so it seemed, flattered) at having a three hour conversation with Tom Farer -- a Rutgers law professor and member of the Inter-American Commission on Human Rights) -- during his recent trip to the United States. He said Farer is such a reasonable man that he (Cerda) is certain he will see Argentine human rights problems in their social-historical context -- just as Farer sees political progress in the country as a part of an ongoing historical process. (Comment. What really seems to have pleased Cerda was Farer's understanding that there won't be elections for a while and that the military will stay on to run things for a few more years.)

We sparred through the "dirty war" theme for a while, and then went on to "the past is history" theme -- i.e. that if a few innocents had gotten caught in the net designed to trap terrorists then these are the tragic results of war. "But now it's over, hooray," is the conversation's proper end, but I handed Cerda the names Jorge Sznajder, Jorge Perez Brancato and Hugo Malosovosky and said I hoped something could be done about them -- along with three of their friends whose names we do not know -- who were abducted only on May 12 of this year. We went on to discuss the Jara de Cabezas case (Cerda was not certain whether the president had in fact received the letter Mrs. Cabezas said in a separate letter to Ambassador Castro that she had sent him), the Barreiros case (he knew nothing about them), and some of the more notorious events of the past.

"But those are the exceptional cases," he commented. We concluded that if some progress could be made on the "exceptional cases" the embassy would be found more credible in suggesting in its reporting that we find an improved situation here -- which I emphasized, we do find.

With regard to these exceptional cases, Cerda said it was "worth noting" that all fairly recent ones had been limited to Greater Buenos Aires, where a confusion of jurisdictions supplies an atmosphere in which unauthorized repressive activity can take place. We talked for a bit on the "dark forces seeking

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to embarrass the president" theme.

Videla's Kitchen Cabinet. Cerda said that General Crespi (Secretary General of the Presidency) Col. Mallea Gil and himself (both sub-secretaries under Crespi) plus political advisor Francisco Moyano make up an informal "current events committee" to advise the president and process paper on both domestic and international events.

Saragovi Case. (Reported also by cable.) Cerda said that he was sympathetic to Saragovi and considers the young man's six year sentence unjust. A document has been prepared and is being studied, he said, for commutation of Saragovi's remaining sentence.

A New "Presumptive Death" Law. Cerda confirmed newspaper accounts that the CAL is studying a law to reduce time for a presumptive death to one year after a person's disappearance in order for survivors to receive any accruing government pension. (Cerda explained that in Argentina there is a seven year presumptive death regulation "normal cases" and a three year waiting period in cases of disasters in which people are believed to have perished but positive identification of bodies is lacking. The human rights disappearances of concern to us are considered "normal" in this context, and thus families of disappeareds face lasting legal problems.) His office is considering a shortened presumptive death law for "general purposes," but this is still in first draft stage.

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